

EAST DEVON DISTRICT COUNCIL

Minutes of the Extra Ordinary Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 13 September 2017

Attendance list at the end of document.

The meeting started at 6.00 pm and ended at 7.30 pm

***29. Public speaking**

The Chairman welcomed those present and invited members of the public to address the Council. There were six public speakers.

Bob Sturtivant expressed his view that the actions of Councillor Paul Diviani at the Devon County Council Health & Adult Social Care Scrutiny Committee on 25th July 2017 did not represent his views or those of local residents who would have wanted to lobby the Secretary of State for Health about changes to local hospital provision.

Di Smith expressed her view that there was a lack of confidence in politicians as a result of Councillor Diviani not supporting a vote to lobby the secretary of State.

Tony Smith expressed his view that he was disappointed by the actions of Councillor Diviani in not voting to lobby the Secretary of State.

John Ramsay expressed his view that politicians had ignored the views of local residents and had not consulted with other districts.

Jane Ashton expressed her view about the need for respect for democracy.

Jack Rowland expressed his view that that there is no evidence that rapid response services are yet working as intended, and the CCG have not provided evidence about why hospital bed closures are necessary.

***30. Declarations of interest**

Councillor Stuart Hughes

Type of interest – Personal interest

Reason – Councillor is a Member of Devon County Council

Councillor Darryl Nicholas

Type of interest – Personal interest

Reason – Councillor works for the CCG

Councillor Jill Elson

Type of interest – Personal interest

Reason – Councillor's sister is manager at Seaton Hospice Care.

Councillor Phil Twiss

Type of interest – Personal interest

Reason – Councillor is a member of Devon County Council

Councillor Iain Chubb

Type of interest – Personal interest

Reason – Councillor is a member of Devon County Council

Councillor Douglas Hull

Type of interest – Personal interest

Reason – Councillor is a Governor at RD&E Hospital

Councillor Ian Hall
Type of interest – Personal interest
Reason – Councillor is a member of Devon County Council

Councillor Peter Faithfull
Type of interest – Personal interest
Reason – Councillor is on Ottery St Mary Hospital League of friends

Councillor Tom Wright
Type of interest – Personal interest
Reason – Councillor is on Budleigh Hospital League of friends

Councillor Andrew Moulding
Type of interest – Personal interest
Reason – Councillor is on Axminster Hospital League of friends

Councillor Dawn Manley
Type of interest – Personal interest
Reason – Councillor is a Member of Sidmouth Care Forum

Councillor Geoff Pook
Type of interest – Personal interest
Reason – Councillor is a Member of Seaton Hospital Health Hub Steering Committee

***31. Motion – Motion of no confidence in the Leader**

The following motion was proposed by Councillor Ben Ingham, seconded by Councillor Val Ranger and supported by Councillors Cathy Gardner, Matt Coppell, Marianne Rixson, Rob Longhurst, Dawn Manley, Geoff Jung, Peter Faithfull, Susie Bond, Roger Giles, Matt Booth, Peter Burrows, Steve Gazzard, Megan Armstrong and Douglas Hull.

‘On Tuesday 25th July 2017, Cllr Diviani chose not to represent the opinions of this Council or the people we represent at the DCC Health and Adult Care Scrutiny Committee meeting when he was clearly expected to do so. This Council no longer has confidence in Cllr Diviani’s commitment to represent our collective interests nor lead our East Devon communities as the figurehead for local government. We call for his resignation.’

The Chairman called on the proposer, Councillor Ben Ingham to speak.

The proposer of the motion, Councillor Ben Ingham, spoke about the issue of 71 hospital beds being slashed by Devon CCG in favour of alternative provision. He went on to say that at the meeting of the Devon County Council Health & Adult Social Care Scrutiny Committee on 25 July, Councillor Diviani did not represent the views of East Devon District Council (EDDC), despite having stated previously that he would.

The Chairman then called on the seconder of the motion, Councillor Val Ranger, to speak.

The seconder of the motion, Councillor Val Ranger made reference to previous meetings on the topic of the need for hospital beds in the light of there being no alternative provision. She went on to state that the role of health scrutiny was to use the democratic process to voice the issues of concern of local residents and that EDDC had relied upon Councillor Diviani to do so. She had expected him to seek evidence of alternative provision to replace the potential loss of hospital beds.

The Chairman called on the supporters of the motion to speak.

Councillors Cathy Gardner, Matt Coppell, Marianne Rixson and Dawn Manley commented on the need to vote at this meeting with one's conscience and to represent the views of local residents.

Councillor Geoff Jung stated that he was supporting the motion on the basis that EDDC had previously agreed a principle on this issue but Councillor Diviani had voted otherwise, and did not consult with other districts. He expressed his view that the vote was likely to affect local residents for many years.

Councillor Susie Bond stated that Honiton had been excluded from the CCG consultation process, which was sufficiently significant to warrant an approach to the Secretary of State.

Councillor Roger Giles stated that in his 26 years on the Council, he could not recall a Leader previously going against the wishes of the council, and that the vote on 25th July prevented an approach to the Secretary of State and would have the effect of accelerating the closure of hospital beds.

Councillor Peter Burrows expressed his view that Councillors should always put the views of the community first.

Councillor Steve Gazzard expressed his view that on this occasion Councillor Diviani did not put EDDC views to Devon County Council or represent the districts of Devon.

Councillor Megan Armstrong and Douglas Hull made similar comments.

The Chairman moved that the vote be a recorded vote. This was put to the vote and was unanimously agreed.

The Chairman invited Councillor Paul Diviani to make a statement.

Councillor Diviani made a number of points. That the NHS has severe funding problems and that there is a Sustainable Transformation Plan to assist the NHS adapt to such pressures. He was elected unanimously by District Council Leaders of Devon to represent them on Devon County Council Health & Adult Social Care Committee and retains their support in exercising his own judgement when required. He had abstained from the vote at The EDDC annual meeting on 17 May to maintain an open mind on behalf of the districts and to assess any further information from the CCG or RD&E NHS trust on 25th July. No alternative proposals were presented to the committee which could be presented to the Secretary of State. He referred to the potential deficit of £557 million by 2020/21 relating to local health and social care services if changes to current inefficiencies are not resolved. Reviews from other areas (14) to the Secretary of State had all been rejected, no local alternative measures had been proposed and he had concluded that a referral would delay necessary change and jeopardise current care. He commented that in East Devon local hospitals are well provisioned and all existing towns have access to good services but flexibility was key and change was necessary since costs continue to increase. Flexibility is required and he

would prefer to request that the Secretary of state rural proof the local situation before allowing any reductions in service than attack government policy without an alternative.

The Chairman invited other members of the Council to speak.

Councillor Ian Thomas reminded those present that the motion was not about the provision of health care, but about confidence in the Leader. The responsibility for health care lies with the CCG and Devon County Council (DCC) and not EDDC.

Councillor Geoff Pook expressed his view that there is a need to be pragmatic about what is possible in health provision. The proposals of the CCG were inevitable but it is still a well provisioned area. There is a need to re-model provision to include home care. The decision at DCC was necessary.

Councillor Ian Hall referred to the good leadership demonstrated by Councillor Diviani on many occasions including the initiative to develop a Housing Company, the successful regeneration of areas, the recycling scheme, amongst others. The issue of alternative health provision is still to be put in place.

Councillor John Dyson expressed his concern that the Leader of EDDC had not represented previously agreed views.

Councillor Phil Twiss stated that he sat on the DCC scrutiny committee as a Councillor on behalf of Feniton and Honiton. He commented that he could understand why Councillor Diviani had voted as he had, since the issues were very complex.

Councillor Eileen Wragg stated that she had formerly been a member of the DCC scrutiny committee and agreed that the health services are in dire straits and facing an enormous deficit if change does not take place. She commented that Councillor Diviani had been consistent in his view.

Councillor Jim Knight expressed his concern that the Leader of EDDC had not represented previously agreed views.

Councillor Mark Williamson commented that the meeting was addressing the issue of health care rather than the topic of the motion which was about leadership and trust. He supported Councillor Diviani's view that one size does not fit all and that flexibility was required.

Councillor Tom Wright stated that Councillor Diviani had attended the DCC scrutiny meeting on 25th July, had heard evidence provided and decided that a referral to the Secretary of State would be a wasted gesture. He expressed his view that this single action did not call into question his leadership or the quality of his leadership and instead provided a reminder of the need to challenge and re-model health services.

Councillor Wright then proposed that the motion now be put.

The Chairman requested that a vote take place on the proposal that the motion be now put. The proposal was put and agreed by a show of hands.

The Chairman invited Councillor Ben Ingham to make his right to reply. Councillor Ingham spoke in support of the motion.

The Chief Executive, Mark Williams, read out the names of all councillors present to record who voted for or against the motion, or abstained from voting.

The Councillors in support of the motion comprised; Megan Armstrong, Susie Bond, Peter Burrows, Matt Coppel, John Dyson, Peter Faithfull, Cathy Gardner,

Steve Gazzard, Roger Giles, Douglas Hull, Ben Ingham, Geoff Jung, Jim Knight, Dawn Manley, Val Ranger, Marianne Rixson, Eleanor Rylance, Brenda Taylor

The Councillors against the motion comprised; Andrew Moulding, David Key, Paul Diviani, Brian Bailey, Dean Barrow, Colin Brown, Jenny Brown, Maddy Chapman, Iain Chubb, Bruce De Saram, Jill Elson, Mark Evans-Martin, Graham Godbeer, Pat Graham, Simon Grundy, Ian Hall, Steve Hall, Mike Howe, Stuart Hughes, John Humphreys, Cherry Nicholas, John O'Leary, Helen Parr, Christopher Pepper, Geoff Pook, Pauline Stott, Ian Thomas, Phil Twiss, Mark Williamson, Eileen Wragg, Tom Wright.

The names of those abstaining from the vote included the following councillor; Darryl Nicholas.

The Chairman stated the outcome of the recorded vote as being 31 votes against and 18 in favour, and one abstention

RESOLVED:

'that following a recorded vote, the motion proposed by Councillor Ben Ingham and seconded by Councillor Val Ranger was rejected'.

Attendance list

Councillors present

Megan Armstrong
Brian Bailey
Dean Barrow
Susie Bond
Colin Brown
Jenny Brown
Peter Burrows
Maddy Chapman
Iain Chubb
Matt Coppel
Alan Dent
Bruce de Saram
Paul Diviani
John Dyson
Jill Elson
Mark Evans-Martin
Peter Faithfull
Cathy Gardner
Steve Gazzard
Roger Giles
Pat Graham
Graham Godbeer
Simon Grundy
Ian Hall
Steve Hall
Mike Howe
Stuart Hughes

Douglas Hull
John Humphreys
Ben Ingham
Geoff Jung
David Key
Jim Knight
Dawn Manley
Andrew Moulding
Cherry Nicholas
Darryl Nicholas
John O'Leary
Helen Parr
Christopher Pepper
Geoff Pook
Val Ranger
Marianne Rixson
Eleanor Rylance
Pauline Stott
Brenda Taylor
Ian Thomas
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Stephanie Jones
Ann Liverton
David Scott
Tim Wood
Frances Newth

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Susan Howl, Democratic Services Manager

Councillor apologies:

Mike Allen
David Barratt
Matthew Booth
Paul Carter
Marcus Hartnell
Rob Longhurst
Bill Nash
Philip Skinner

Honorary Aldermen apologies:

David Atkins
Ken Potter

Chairman Date